

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD
Dixie Convention Center
1835 Convention Center Drive
St. George, Utah 84770
April 6, 2005
8:30 a.m.

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Rob Adams	Jay Olsen
Ray Child	Mayor Joe Piccolo
Paula Doughty	Ann Wechsler
Dianne Nielson	Mayor Douglas Thompson

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Faye Bell, William Moellmer, Ed Macauley, Tim Beavers, Paul Krauth,
Judy Etherington, John Whitehead, Rino Dicataldo, Harry Campbell, Harry Judd,

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Anthony Daw	Central Valley Water RF
Randy Taylor	DEQ
Gordon Champneys	Hill AFB (Oper Cert. Council)
Doug Legge	Terason Utility Service
Terral Dunn	Rural Water Assoc (Oper Cert Council)
Paul Fulghan	Tremonton City
Craig Ashcroft	Carollo Engineers
Lance Houser	Logan City
Donald Champenois	Black & Veatch
Shawn Labonde	Black & Veatch
Karen Nichols	Stantec
Dave Ritter	WEAU President
Bill Luce	Hansen, Allen & Luce
Glen Willey	Plain City
Tom Herbert	EA Miller
Larry Bowen	Bowen-Collins Engineering
Marv Wilson	Sunrise Engineering
Randy Brown	Kane County Water Conservancy Dist

Chairman Child called the Board meeting to order at 8:40 a.m. He welcomed those in attendance. Mr. Child invited the members of the audience to introduce themselves.

Mr. Child introduced Dave Ritter, President of WEAU Association, who welcomed the Board to the WEAU Conference and thanked the Board for their support of WEAU over the years.

APPROVAL OF MINUTES OF THE MARCH 7, 2005 MEETING

Motion: It was moved by Mayor Piccolo and seconded by Mr. Olsen to approve the minutes of the March 7, 2005 Board meeting as written. The motion was to unanimously approve the minutes with the noted changes.

Recognition of Ann Wechsler and Rob Adams for their service on the Water Quality

Board: Mr. Child presented Ann Wechsler and Rob Adams with a clock for their dedication and service on the Board.

Motion to approve Walter L. Baker as Executive Secretary: Dr. Neilson requested the Board to approve Walter L. Baker as the Executive Secretary to the Water Quality Board. For the past nine months Walt has been serving as the “Acting Executive Secretary” to the Board.

Motion: It was moved by Mr. Adams to approve Walter L. Baker as the Executive Secretary to the Water Quality Board. The motion was seconded by Mr. Olsen and was unanimously approved.

Sudweeks Award discussion: Mr. Baker explained to the Board the criteria used in selecting the recipient of the Sudweeks Award. He commented that a conference call was held with Ray Child, Ron Sims and Walt Baker to discuss nominees and they voted to nominate Don Ostler as the recipient. Mr. Child asked for the Boards approval.

Motion: It was moved by Ms. Wechsler to approve Don Ostler as the recipient of the Sudweeks Award. The motion was seconded by Mr. Adams and was unanimously approved.

Certification Council 2004 Annual Report: Mr. Terral Dunn with the Certification Council presented the 2004 Annual Report. Mr. Olsen asked why such a high number had received low exam scores and should they be receiving more training prior to taking the exam. Ms. Etherington, explained the exam is a national exam that does not provide training. The expectation is when operators choose to take the exam, that they have acquired the needed knowledge from their experience performing the job.

RULEMAKING

Request to adopt changed to R317-2, *Standards of Quality for Waters of the State and associated rules*: Mr. Moellmer explained to the Board that two public hearings were held, in Cedar City and Salt Lake City. A total of seven (7) written comments were received which staff has responded to. EPA Region VIII recommended the proposed change in the Arsenic criterion for Class 1C waters not have a listing of the valence state because of possible speciation of the elements as a function of different potential redox values in various waters. Staff recommends that the Board approve the changes in the Water Quality standards as previously presented to and approved by the Board with the exception of the Arsenic valence state, because a change to the Arsenic valence state was originally intended, a Change in Proposed Rule must be filed with the Division of Administration Rules. This will necessitate a 30-day public comment period. Staff concurs with EPA Region VIII in leaving the Arsenic standard as is for Class 1C waters without the valence state. Staff is requesting the Boards approval to adopt R317-2 *Standards of Quality*

for Waters of the State, and aspects of R317-1, R317-3 and R317-8 that deal with e-coli, contingent on no negative public comment being received.

Motion: It was moved by Ms. Wechsler and seconded by Mayor Thompson to adopt changes as being proposed, contingent on no negative public comment to the proposed change in the Arsenic criterion for Class 1C waters. The motion was unanimously approved.

Request to initiate Rulemaking to R317-1 Definitions and General Requirements (TMDL adoptions): Mr. Judd presented staffs recommendation to initiate rulemaking for the adoption of all EPA approved TMDLs received since the last adoption.

Motion: It was moved by Mayor Piccolo and seconded by Ms. Doughty to proceed to rulemaking for the adoption of approved TMDLs. The motion was unanimously approved.

LOAN PROGRAM

Financial Assistance Status Report – Ed Macauley updated the Board on the “Summary of Assistance Program Funds” as outlined on pages 4.1 and 4.2.

Kane County Water Conservancy District Request of Planning advance: Mr. Dicataldo introduced Randy Brown with Kane County and Marv Wilson from Sunrise Engineering. Kane County Water Conservancy District (KCWCD) is requesting a Planning Advance in the amount of \$75,000 for a wastewater collection and treatment system study. The purpose of the planning study is to determine the best alternative to properly collect and treat the area’s wastewater. Staff recommends that the Water Quality board authorize a \$75,000 Planning Advance to KCWCD to complete the Wastewater Collection and Treatment Planning Study. Mr. Brown took exception to the second sentence of item 1, in the Special Conditions, where it states “If a project is not implemented the District will nevertheless be expected to repay the Planning Advance.” Mr. Baker explained to the Board that Southwest Health District has no funds to support a study, which would be valuable to the Division of Water Quality (DWQ). KCWCD agreed to sponsor doing the study for DWQ, and KCWCD has pledged \$15,000 to this study, therefore DWQ should not ask KCWCD to repay the \$75,000 should a project not be implemented. Mr. Adams suggested the second sentence, “If a project is not implemented the District will nevertheless be expected to repay the Planning Advance,” be deleted. He also requested KCWCD give the Board a report on its findings.

Motion: It was moved by Mr. Adams to approve KCWCD’s request for a planning advance of \$75,000 subject to the revision in special conditional that would only need to be repaid if a project is implemented as a result of this study. The motion was seconded by Mayor Thompson and was unanimously approved.

Introduction of a loan request for Plain City: Mr. Macauley introduced Glen Willie, Mayor of Plain City. Plain City is requesting financial assistance in the amount of a \$3,000,000 loan at 3% interest repayable over 20 years for the construction of various sewer improvements including several new pipelines and two new pump stations. The project will provide much needed improvements for the growth of their city as well as eliminate a few remaining onsite systems. The City has already completed the Planning and Design Phase of the project.

Letter to Stockton City: Mr. Baker directed the Boards attention to the letter to the Town of Stockton regarding the sewer project issue. In the Board meeting in March, the Board voted to write a letter of support to the Town of Stockton for a Sewer Project. The Board agreed to delete the last paragraph of the proposed letter.

Motion: **It was moved by Ms. Doughty to approve the letter to the Town of Stockton with the deletion of the last paragraph. The motion was seconded by Mayor Thompson and was unanimously approved.**

OTHER BUSINESS:

Petition for Ground Water Classification, Navajo/Kayenta and Upper Ash Creek, Aquifers, Washington and Iron Counties, Utah: Mr. Judd introduced Mr. Luce from Washington County Conservancy District. Washington County is petitioning the Board to classify portions of the respective aquifers in Washington and Iron Counties according to the water quality contained in the aquifers. Staff has reviewed the petition and supporting information and determined the criteria have been met. It is recommended that the Board initiate action of aquifer classification. With the Board's approval, the Division of Water Quality will set a date for the receipt of comments at a public hearing in the county and issue the required public notice. After holding the public hearing and consideration of any comments that are received, information will be returned to the Board for the disposition of the classification petition.

Motion: **It was moved by Mr. Olsen to approve the request to initiate action of aquifer classification. The motion was seconded by Mayor Thompson and was unanimously approved**

Jordan River TMDL update: Mr. Whitehead updated the Board on the Jordan River TMDLs.

NEXT MEETING

The next Water Quality Board is scheduled for May 20, 2005 at the Cannon Health Building in Room 125 at 9:30 a.m.

Ray Child, Chairman